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May 13, 2024

**VIA ECF**

The Honorable Michael J. Roemer  
United States District Court  
Western District of New York  
Robert H. Jackson United States Courthouse  
2 Niagara Square  
Buffalo, NY 14202

Re: *Grand'Maison v. Roswell Park Comprehensive Cancer Center, et al.;*  
No. 23 Civ. 00099 (JLS) (MJR)

Dear Judge Roemer:

We represent Plaintiff Dr. Anne Grand'Maison and write to request a status conference regarding Defendants' failure to engage in discovery.

By way of brief background, on February 19, 2024, Defendants submitted a short letter to the Court regarding discovery disputes with Plaintiff. Dkt. No. 46. On February 26, 2024, Plaintiff also submitted an extremely detailed six-page letter detailing deficiencies in Defendants' document production. Dkt. No. 47. On March 5, 2024, the Court held a hearing and ordered the Parties to hold a "robust meet and confer" regarding outstanding discovery issues in order to avoid motion practice. Exh. A 19:20-21. Plaintiff's counsel took the lead in scheduling a meet-and-confer which ultimately took place on April 4, 2024.<sup>1</sup> The upshot of the meet-and-confer was that for many of the more challenging disagreements, counsel for Defendants said they would discuss the matters further with their client and get back to us with further potential compromise and/or additional meet-and-confer discussions in one week.

It has now been almost six weeks since the Parties' meet and confer. We have followed up with counsel for Defendants repeatedly to no avail. For the last several weeks, counsel for Defendants have not even answered Plaintiff's emails and have refused to engage in any further discovery discussion. See Exh. B. Plaintiff has taken great pains to resolve this without bringing it to the Court's attention, and we prefer to avoid submissions to the Court such as this one. However, discovery requires cooperation and communication between the parties, and we simply

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<sup>1</sup> This meet-and-confer was supposed to happen earlier, on March 21, 2024, but Defendants had to reschedule for understandable personal reasons.

**WIGDOR.**

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cannot advance the case unilaterally. As such, Plaintiff respectfully requests a status conference to aid the Parties in advancing this litigation.

Respectfully submitted,



David E. Gottlieb

cc: All Counsel of Record (*via* ECF)